



Substitute Senate Bill No. 988

Public Act No. 23-125

**AN ACT CONCERNING THE PURCHASE OF A MOBILE
MANUFACTURED HOME PARK BY ITS RESIDENTS.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Section 21-64 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2023*):

As used in this chapter and sections 2 and 3 of this act:

(1) "Mobile manufactured home" means a detached residential unit having three-dimensional components which are intrinsically mobile with or without a wheeled chassis or a detached residential unit built on or after June 15, 1976, in accordance with federal manufactured home construction and safety standards, and, in either case, containing sleeping accommodations, a flush toilet, tub or shower bath, kitchen facilities and plumbing and electrical connections for attachment to outside systems, and designed for long-term occupancy and to be placed on rigid supports at the site where it is to be occupied as a residence, complete and ready for occupancy, except for minor and incidental unpacking and assembly operations and connection to utilities systems;

(2) "Mobile manufactured home park" or "park" means a plot of ground upon which two or more mobile manufactured homes, occupied

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for residential purposes are located;

(3) "Mobile manufactured home space or lot" means a plot of ground within a mobile manufactured home park designed for the accommodation of one mobile manufactured home;

(4) "Licensee" means any person licensed to operate and maintain a mobile manufactured home park under the provisions of this chapter;

(5) "Resident" means a person who owns, or rents and occupies, a mobile manufactured home in a mobile manufactured home park;

(6) "Department" means the Department of Consumer Protection;

(7) ["Owner"] "Park owner" or "owner" means a licensee or permittee or any person who owns, operates or maintains a mobile manufactured home park;

(8) "Dwelling unit" means a mobile manufactured home;

(9) "Person" means an individual, corporation, limited liability company, the state or any political subdivision thereof, agency, business trust, estate, trust, partnership or association, two or more persons having a joint or common interest, and any other legal or commercial entity;

(10) "Premises" means a dwelling unit and facilities and appurtenances therein and grounds, areas and facilities held out for the use of residents generally or whose use is promised to the resident;

(11) "Rent" means all periodic payments to be made to the owner under the rental agreement;

(12) "Rental agreement" means all agreements, written or oral, and valid rules and regulations adopted under subsection (d) of section 21-70, embodying the terms and conditions concerning the use and

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occupancy of a dwelling unit or premises.

Sec. 2. (NEW) (*Effective October 1, 2023*) (a) Any owner of a mobile manufactured home park who intends to sell, lease or transfer land used as a mobile manufactured home park to any person, except a sale, lease or transfer governed by subsection (f) of section 21-70 of the general statutes, shall give written notice to the owner of each dwelling unit upon such land by certified mail with a return receipt requested, by first class mail with tracking and by personal delivery. Such notice shall include (1) a statement advising the recipient of the notice of the intended sale, lease or other transfer of the park, (2) a statement of the residents' rights under this section and the deadlines for exercising such rights, and (3) the price, terms and conditions of any offer the park owner has conditionally accepted or plans to accept concerning the park, or a copy of any written contract or offer executed by the park owner concerning the park, and shall be mailed and delivered at least forty-five days prior to the proposed sale or lease of the park, except that for a sale, lease or transfer of a park occurring before October 1, 2025, such notice shall be mailed and delivered at least sixty days prior to such proposed sale or lease. A park owner may accept an offer for the sale, lease or transfer of the land before providing a copy of such notice as long as the agreement is conditioned upon giving the residents the notice and the opportunity to purchase required by this section.

(b) A copy of any notice required pursuant to subsection (a) of this section shall be simultaneously sent by first class mail to (1) any association of residents of the park that has made a written request for any such notice to the park owner, (2) the Department of Housing, (3) the Connecticut Housing Finance Authority, and (4) the Department of Consumer Protection. If an owner of any dwelling unit has given the park owner written notice that the unit owner resides in a place other than the owner's unit, the park owner shall also send such notice by first class mail to the address provided by such unit owner.

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(c) Not later than forty-five days after the notice provided for in subsection (a) of this section has been mailed or personally delivered, or, before October 1, 2025, not later than sixty days after such notice has been mailed or personally delivered, whichever delivery method is later, any association representing more than fifty per cent of the units in the park that are occupied by the owners of such dwelling units or one or more of the owner's immediate family members, as defined in section 20-670 of the general statutes, including an association formed after the issuance of such notice, may notify the park owner that such association is interested in purchasing the park. A copy of any such notice from such association may be filed on the land records of the municipality in which the park is located. Except as provided in subsection (e) of this section, if such notice is given by such association, the association shall have one hundred eighty days after the notice required in subsection (a) of this section has been mailed or personally delivered, whichever is later, to purchase and close upon the sale of the park. Upon the request of such association, the Department of Housing and the Connecticut Housing Finance Authority shall assist the association in developing financing for the purchase of the park.

(d) If the association and the park owner cannot otherwise agree upon a purchase price for the park, the association shall have the right to purchase the property upon the same, price, terms and conditions of any existing bona fide offer to purchase the park made by another potential purchaser if the park owner has accepted such offer or intends to accept such offer. No park owner shall unreasonably refuse to enter into, or unreasonably delay the execution of or closing upon, a purchase and sale agreement with an association that has made a bona fide offer to match the same price, terms and conditions of an offer for which notice is required to be given pursuant to this section. If, not later than ninety days after the notice required in subsection (a) of this section has been mailed or personally delivered, whichever is later, no agreement for the sale of the park executed between the association and the park

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owner has been filed upon the land records of the municipality in which the park is located, the right provided in this subsection to purchase the park shall be void and any recorded notice filed pursuant to subsection (c) of this section shall be void.

(e) If an association that meets the more than fifty per cent unit ownership requirement in subsection (c) of this section desires to make an offer to purchase the park, but the offer for which notice is required to be given involves the sale of more than one mobile manufactured home park or involves purchase of a controlling interest in the park by a stock transfer or other noncash instrument, and the association cannot match such offer, the association may submit to the park owner a proposed purchase and sale agreement concerning the park in which such association is located within the applicable time period prescribed by said subsection. In such case, the park owner shall consider the association's offer but shall not be bound to sell to the association nor shall the park owner be required to delay completion of a sale to another entity.

(f) The park owner and the park residents shall at all times have a duty to act and bargain in good faith with each other.

(g) An association of residents that has rights under this section may, at its election, assign such rights to (1) the municipality in which such association is located, (2) a housing authority located in such municipality, or (3) a nonprofit organization, for the purpose of continuing the use of the property as a mobile manufactured home park.

(h) The requirements of this section shall apply separately to each substantially different offer to sell or purchase a mobile manufactured home park.

(i) This section shall not apply if:

(1) The sale, lease or transfer is to an immediate family member of the

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owner or to a trust, the beneficiaries of which are immediate family members of the owner;

(2) The transfer is by gift, devise or required by operation of law;

(3) The sale, lease or transfer is by a partnership or a limited liability company to one or more of its partners or members;

(4) The conveyance of an interest in the park is incidental to the financing of such park;

(5) The lease is the lease of a lot within the mobile manufactured home park to a person who will live in a mobile manufactured home on such lot;

(6) The sale, lease or transfer is between joint tenants or tenants in common;

(7) The transfer is made by a business entity to a subsidiary or affiliate of such entity;

(8) The transfer is made by eminent domain; or

(9) The mobile manufactured home park is comprised of fewer than fifteen lots.

(j) The exclusions set forth in subsection (i) of this section shall not carry over to any subsequent resale, lease or transfer of a park unless such subsequent resale, lease or transfer independently meets the criteria set forth in said subsection.

Sec. 3. (NEW) (*Effective October 1, 2023*) An owner of a mobile manufactured home park that sells, leases or transfers such park to residents of the park in compliance with the requirements of section 2 of this act or subsection (f) of section 21-70 of the general statutes shall be exempt from the payment of any state or municipal conveyance tax

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otherwise due under chapter 223 of the general statutes based on the sale price of the park, provided (1) the entity purchasing the mobile manufactured home park is owned by more than fifty per cent of the residents of the park or an organization to which the rights of the residents have been assigned pursuant to subsection (g) of section 2 of this act, and (2) the sale requires the continued maintenance of the property as a mobile manufactured home park. For such a sale, the buyer of the park shall be liable for the municipal portion of the conveyance tax and for fifty per cent of the state portion of such tax, unless the buyer is otherwise exempt by law from such conveyance tax. The transaction shall otherwise be exempt from the balance of such tax.

Approved June 27, 2023